

WATRS

Water Redress Scheme

ADJUDICATOR'S DECISION SUMMARY

Adjudication Reference: WAT/ /1110

Date of Decision: 8 February 2019

Complaint

The customer submits that the complaint concerns low water pressure. He purchased the property with the intention to demolish it and build a new home. Following completion of the building works, he connected to the existing water supply and has been experiencing low water pressure ever since. Operatives who attended have agreed that the water pressure should have been better. However, no action has been taken. The company has advised that he is responsible for the supply from the main road to his property. The company has informed him that he would have to undertake work to address the issue himself. However, the customer states that the company has undertaken the work for other properties with similar issues. The customer requests that the company takes action to address the low water pressure at the property.

Defence

The company states that water mains are the large company pipes that distribute water around the network. Communication pipes carry water between the water mains and the boundary of a private property. A company stop tap fitted on the boundary of the property, normally marks the end of its responsibility. The prescribed standards for water pressure, are that water companies shall maintain a minimum pressure in the communication pipe serving the premises of seven metres static head. It has visited the property on several occasions, on each occasion it has established that the readings at the boundary (which is where its responsibility ends), either meet or exceed the prescribed standards. The property has been redeveloped from its original design, with no separate or alternative water supply arrangements made to take into account any additional demand to the water supply. The customer has replaced approximately 40 metres of his private pipework already. However for there to be any considerable difference, the full replacement along the entire length of the private supply pipe with a larger diameter pipe is recommended. As a gesture of goodwill, it has offered £100.00 towards the cost of the work as well as providing a free connection to a new supply, if the customer chooses to lay one, and, up to 15m of pipework from its connection to an agreed point on the lane leading up to his property.

Findings

The company is legally only responsible for the water main, the communication pipe from the water main to the controlling stop tap. Land owners or occupiers are responsible for supply pipework which runs from the controlling stop tap to the property and all the pipework, fixtures and fittings inside the property. I

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accept the company's submission that it measures pressure supplied to to the boundary of a property and the controlling stop tap as this is where its responsibility ends. Any issues with water pressure past the point of the controlling stop tap are the responsibility of the property occupier/owner. I also accept the company's submission that its obligation is to maintain a minimum pressure of water in the communication pipe serving a property of seven metres static head. It is not in dispute that the pressure recorded at the boundary is seven meters static head. The evidence provided therefore shows the company is meeting its obligation to supply water to the controlling stop tap at the minimum rate.

Outcome

The company does not need to take any further action.

The customer must reply by 8 March 2019 to accept or reject this decision.

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Party Details

Customer: []

Customer's Representative: []

Company: [].

Case Outline

The customer's complaint is that:

- The complaint concerns low water pressure. He purchased the property with the intention to demolish it and build a new home. Following completion of the works, he connected to the existing water supply and has been experiencing low water pressure since.
- He contacted the company and it attended to investigate. Operatives who attended have agreed that the water pressure should have been better. However, no action has been taken.
- The company has advised that he is responsible for the supply from the main road to his property.
- Following the company's advice he renewed 40 meters of piping. However, this made no difference to the water pressure. The company attended the property on 10 October 2018 and tested the pressure and flow. The company informed him that the fault was now between the stop cock on the main road and the stop cock on the bridge, a distance of 80 meters. The company has also informed him that he would have to do the work himself.
- A neighbour had a similar issue and although the company initially denied responsibility, it renewed the pipe. The company also did similar work for another property in the village.
- The customer requests that the company address the issue of low water pressure at the property.

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The company's response is that:

- Responsibility for the pipework that supplies clean water is shared between property owners and water companies. Water mains are the large company pipes that distribute water around the network. Communication pipes carry water between the water mains and the boundary of a private property. A company stop tap fitted on the boundary of the property, normally marks the end of the company's responsibility. Supply pipes are the smaller pipes that carry water from company pipework into the property. Supply pipes run from the boundary of the property (where there may be a company stop-tap) up to the first water fitting or stop-tap inside the property. Stop-taps along the length of the supply pipe, and any water fittings, are the property owner's responsibility to maintain.
- Liability for water mains and pipes is also laid down in the Water Act 1945 and later reiterated under S153 and Schedule 19 of the Water Act 1989 and subsequently consolidated in S179 Water Industry Act 1991.
- Water pressure is the force that pushes water through pipes and determines the flow of water from the stop tap. The prescribed standards for water pressure, are that water companies shall maintain a minimum pressure in the communication pipe serving the premises, of seven metres static head.
- The customer first informed it of poor pressure in April 2017. It has visited the property on several occasions to investigate and undertake pressure and flow tests. It recognises that there is a pressure problem inside the property itself. However, on each occasion it has established that the readings at the boundary (which is where its responsibility ends), either meet or exceed the prescribed standards.
- The supply pipe for the property is made of $\frac{3}{4}$ inch galvanised iron and is also shared with a neighbouring (next door) property. This is a private pipe on private property and land and was not laid by it or its predecessor, prior to privatisation of the water industry.
- The property has been redeveloped from its original design, with no separate or alternative water supply arrangements made to take into account any additional demand to the water supply. The property is considerably larger than the one it replaced and for what the original purpose of the supply was intended. Its advice to the customer, to allow for sufficient pressure and flow, has been to arrange for a new and separate supply pipe with a larger diameter for the whole distance between the Property and the edge of the highway in which its main is laid.
- The customer has already replaced approximately 40 metres of his private pipework already. However for there to be any considerable difference, the full replacement along the entire length

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of the private supply pipe with a larger diameter pipe is recommended, to the controlling stop tap at the edge of the public highway where the main is laid and from where its responsibility ends.

- It has offered £100.00 towards the cost of the work, as well as providing a free connection to a new supply, if the customer chooses to lay one, and as a gesture of goodwill, up to 15m of pipework from its connection to an agreed point on the lane leading up to his property.

How is a WATRS decision reached?

In reaching my decision, I have considered two key issues. These are:

1. Whether the company failed to provide its services to the customer to the standard to be reasonably expected by the average person.
2. Whether or not the customer has suffered any financial loss or other disadvantage as a result of a failing by the company.

In order for the customer's claim against the company to succeed, the evidence available to the adjudicator must show on a balance of probabilities that the company has failed to provide its services to the standard one would reasonably expect and that as a result of this failure the customer has suffered some loss or detriment. If no such failure or loss is shown, the company will not be liable.

I have carefully considered all of the evidence provided. If I have not referred to a particular document or matter specifically, this does not mean that I have not considered it in reaching my decision.

How was this decision reached?

1. I remind the parties that adjudication is an evidence based process.
2. Submissions made without supporting evidence are unlikely to be accepted as proven.

Other customers

3. I acknowledge the customer's submissions about other customers and the work done by the company for them. However, for the purposes of this decision my remit is to determine the

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issues between the customer and the company. Each case is dealt with on its own merits. It falls outside of my remit to consider submissions about other customers and their properties.

Low water pressure

4. I acknowledge that the customer disputes the company's submissions that the supply pipe is on private property and that the supply pipe was not laid by it or its predecessor. However, the company is legally only responsible for the water main, the communication pipe from the water main and the controlling stop tap. Land owners or occupiers are responsible for supply pipework which runs from the controlling stop tap to the property and all the pipework, fixtures and fittings inside the property.
5. I accept the company's submission that it measures pressure supplied to to the boundary of a property and the controlling stop tap as this is where its responsibility ends. Any issues with water pressure past the point of the controlling stop tap are the responsibility of the property occupier/owner.
6. I also accept the company's submission that its obligation is to maintain a minimum pressure of water in the communication pipe serving a property of seven metres static head. The company has submitted evidence from Ofwat, the Water Industry Regulator, which support its submissions.
7. The company submits that on visits to the property on 10 November 2017 and 10 October 2018, the pressure at the boundary was seven meters static head. This is not disputed by the customer and the customer also confirms the figures recorded on 10 October 2018 in his WATRS application.
8. I acknowledge the customer's claim and I can appreciate the customer's distress at the issues being experienced within the property. However, the evidence provided shows the company is meeting its obligation to supply water to the controlling stop tap at the minimum rate required. No evidence has been submitted to this adjudication to show that that the issue complained of is the fault of the company's and/or that the company is required to address the low pressure being experienced within the property.
9. Consequently, in view of all of the above, the customer's claim is unable to succeed.

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Outcome

The company does not need to take any further action.

What happens next?

- This adjudication decision is final and cannot be appealed or amended.
- The customer must reply by 8 March 2019 to accept or reject this decision.
- When you tell WATRS that you accept or reject the decision, the company will be notified of this. The case will then be closed.
- If you do not tell WATRS that you accept or reject the decision, this will be taken to be a rejection of the decision.



U Obi LLB (Hons) MCI Arb
Adjudicator

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